

REMARKS:

The applicant has carefully considered the **Rejection of Claims 8 and 9** and the new reference **US patent No. 3,552, 321 to Priebe** cited by the examiner in the **Final Office Action** dated June 5, 2007. The applicant will explain the differences in design principle and structures from the prior art.

One of the design principles of the present invention is to allow a passenger or a vehicle (passengers or cargo) to go directly from origin to destination without stopping or transfer. **US Patent 3,552, 321** teaches a transportation system, in which a through car (10) does not need to stop at intermediate stations (3). A local car (8) can be hooked up with a through car (10) at the intermediate stations (3) for passengers to move between the local car (8) and the through car (10). In the prior art, the through car and the local car have different vehicle designs and corresponding track designs. A through car cannot go to the local loop due to the incompatible designs. In comparison, the vehicles in the present invention can use all the tracks in the system. This is the **structural difference** at the system level, as a result of the difference in design principles.

Since the through car and the local car in **US Patent 3,552, 321** are different, we need to make the comparison with the present invention separately. In **US Patent 3,552, 321**, the through car (10) has vertical wheels (12) engaged on the central rail (13) for supporting the vehicle, and horizontal wheels (15) engaged on the side rails (14) for lateral stability, best shown in **Figs 5, 6, and 7. The structural arrangement** of the wheels and rails in the present invention is just **the opposite**. In the present invention, horizontal wheels are engaged on the sides of the central rail for guiding, and vertical wheels are engaged on the top surfaces of the side rails for supporting the vehicle. Since there could be many design variations for the wheels and rails to anyone with ordinary skills in the art, it is appropriate to define them in terms of means plus function. However, the **structure** of wheel and rail for supporting the vehicle must be different from the

structure for guiding and lateral stability, since one is for a vertical force and the other is for a lateral force. As the functions of the central rail and side rails are switched in the two cases, the structures are different accordingly.

As for the local car (8) in **US Patent 3,552, 321**, it is supported by the side wheels (20) on the side rails (14; col. 3, lines 70-72; Figs. 10,11,12), similar to the structure in the present invention. The **structural difference** from the present invention is that the central rail is not used for the local car (8).

There are two types of switch in **US Patent 3,552, 321**. The one cited by the examiner is to get the local car (8) in the local loop (4) to or away from the main line (1 or 2) at junctions (3; Fig. 1). This is accomplished by an upper local track (34, equivalent of side rail 14) with a movable section (35; Figs. 14 and 15; col. 5, lines 6-19). As the local car can only engage with the side rails, this switching mechanism is structurally different from the mechanism used in the present invention. In the present invention, a movable section of **the central rail** performs the switching function.

Another type of switch in **US Patent 3,552, 321** is for switching in the main track (Figs 32, 33, 34). Although only the central rail (13) is shown to represent a track, a whole section of the entire track including the side rails is moved during switching (col.12, lines 22-26). This is similar to the conventional monorail in design principle. The central rail in the prior art is for supporting the vehicle, but the central rail in the present invention is for guiding. As the central rail in the present invention does not support the weight of the vehicles, a different and light structure is used and the movable section can perform the switching function in a very short time.

Therefore, **Claims 8 and 9** are patentably different from the prior art. The applicant would appreciate the kind consideration of the above explanations by the examiner.